

DISTRICT COURT OF THE VIRGIN ISLANDS

DIVISION OF ST. CROIX

**HESS OIL VIRGIN ISLANDS CORP. and
AMERADA HESS CORPORATION,**

Plaintiffs,

v.

INGERSOLL-RAND COMPANY,

Defendant.

1:03-cv-147

**TO: Sunshine S. Benoit, Esq.
John H. Benham, Esq.**

AMENDED ORDER GRANTING DEFENDANT'S MOTION TO COMPEL

THIS MATTER came before the Court for consideration upon Defendant Ingersoll-Rand Company's Motion to Compel Discovery (Docket No. 113). Plaintiffs filed a joint opposition to said motion, and Defendant filed a reply thereto.

Defendant's motion is based upon Plaintiffs' refusal to respond fully to certain discovery requests. Plaintiffs' refusal, in turn, is based, in part, upon their assertion that they are bound by confidentiality requirements surrounding the settled claims, and upon their claim that the information sought is irrelevant.

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Having reviewed the submissions of the parties and upon due consideration thereof, the Court finds that the discovery at issue is relevant and that Defendant is entitled to the discovery it seeks. Fed. R. Civ. P. 26. In addition, the Court finds that any issues concerning confidentiality can be resolved by the parties' execution of a confidentiality agreement.

Accordingly, it is now hereby **ORDERED**:

1. Defendant Ingersoll-Rand Company's Motion to Compel Discovery (Docket No. 113) is **GRANTED**.
2. The parties shall execute a confidentiality agreement regarding the settlement amounts of the underlying claims and any payments to Plaintiffs by other persons or entities within ten (10) days from the date of entry of this order.
3. Plaintiffs shall respond fully and completely to the discovery requests at issue within twenty (20) days from the date of the execution of the parties' confidentiality agreement.

ENTER:

Dated: June 12, 2009

/s/ George W. Cannon, Jr.
GEORGE W. CANNON, JR.
U.S. MAGISTRATE JUDGE